

ORDINANCE NO. 1383-15

AN ORDINANCE RELATING TO BUILDING CODES; AMENDING TUALATIN MUNICIPAL CODE CHAPTER 4-1; ADDING NEW PROVISIONS; AND DECLARING AN EMERGENCY

WHEREAS, the State of Oregon has updated the State Building Codes; and

WHEREAS, the City of Tualatin wishes to adopt the updated State Building Codes into Tualatin Municipal Code Chapter 4-1;

NOW THEREFORE, THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. Tualatin Municipal Code Chapter 4-1 is amended as follows:

4-1-010 Standards Applicable to Building.

~~In addition to compliance with this and other ordinance of the City, building and related activities shall comply with the following additional requirements.~~

(1) The City adopts the following specialty codes, rules, and standards:

(a) (1) The Oregon Structural Specialty Code, 2014 edition, adopted by the State in OAR 918-460-0010 to 918-460-0015 (2014); Chapter 1 of the 2010 edition of the Oregon Structural Specialty Code, as adopted by the Administrator of the State Building Codes Division, also Section 115 and Appendices G (Flood-Resistant Construction), and H (Signs); and

(b) (2) The Oregon Mechanical Specialty Code, 2014 edition, adopted by the State in OAR 918-440-0012 (2014); Chapter 1 of the 2010 edition of the Oregon Mechanical Specialty Code, as adopted by the Administrator of the State Building Codes Division, and Sections 104.2 and 106.5.3; and

(c) (3) The Oregon Plumbing Specialty Code, 2014 edition, adopted by the State in OAR 918-750-0110 (2014); All chapters of the 2008 edition of the Plumbing Specialty Code, as adopted by the Administrator of the State Building Codes Division; and

(d) (4) The Manufactured Dwelling rules adopted by the State in OAR 918-500-510 to 918-500-0595 (2010); The April 2010 edition of the Manufactured Dwelling Administrative Rules, as adopted by the Administrator of the State Building Codes Division; and

(d) (5) The Manufactured Dwelling and Parks Specialty Code, 2002 edition, adopted by the State in OAR 918-600-0010 (2002), including the April 1, 2005 amendments; The 2002 edition of the Administrative Rules governing Manufactured Dwelling Parks, as adopted by the Administrator of the State Building Codes Division; and

(e) (6) The Recreational Parks and Organizational Camps Administrative Rules, 2011 edition, adopted in OAR 918-650-0000 to 918-650-0085 (2011); The 2003 edition of the Recreational Parks and Organizational Camps Administrative Rules, as adopted by the Administrator of the Building Codes Division; and

(f) (7) The Oregon Manufactured Dwelling Installation Specialty Code, 2010 edition, adopted by the State in OAR 918-500-510 to 981-500-590 (2010); The 2010 edition of the Oregon Manufactured Dwelling Installation Specialty Code, with Appendices A, and B, as adopted by the Administrator of the State Building Codes Division; and

(g) (8) The Oregon Residential Specialty Code, 2014 edition, adopted by the State in OAR 918-480-0005(2014); The 2008 edition of the Oregon Residential Specialty Code, as adopted by the Administrator of the State Building Codes Division; and

(h) (9) The Oregon Energy Efficiency Specialty Code, 2014 edition, adopted by the State in OAR 918-460-0500 (2014); and The 2010 edition of the Oregon Energy Efficiency Code, as adopted by the Administrator of the State Building Codes Division;

(10) The 2010 edition of the Oregon Solar Installation Specialty Code as adopted by the Administrator of the State Building Code division; and

(i) (11) The Oregon Fire Code, 2014 edition, adopted by the State in OAR 837-040-0140 (2014), and as adopted and amended by Tualatin Valley Fire and Rescue District Ordinance No. 14-02. The 2010 State of Oregon Fire Code as adopted by the Oregon State Fire Marshall's office and Tualatin Valley Fire and Rescue Ordinance 10-02, which includes modifications to the State Fire Code adopted by the City.

(2) The provisions in subsection (1) apply to all building and related activities conducted within the City and are in addition to all other applicable provisions of the Tualatin Municipal Code and the Tualatin Development Code.

No person shall conduct building or related activities without compliance with these standards.

4-1-020 City Code Administration.

The City shall provides for the administration of a plan checking, building permit and inspection program for the codes adopted in TMC 4-1-010. structural, plumbing and mechanical work, Manufactured Dwelling Parks, and Recreational Parks and Organization Camps. The City does not provide a building program but not for electrical work. The electrical program is provided by Washington County Building Services. This City program is applicable to public building, including state building, as well as private building.

4-1-030 Excavation and Grading.

A person seeking a grading permit must submit a soil report with the permit application. Excavation and Grading, Chapter 18 of the 2007 edition of the Oregon Structural Specialty Code, has been adopted by the Administrator of the State Building Codes Division and shall be in effect in the City of Tualatin. Each permit application for excavation and grading shall must be accompanied with a soils report as specified in Sections 1802.2.1 through 1802.2.7. The soils report submitted must be signed and sealed by an Oregon-certified soils engineer and comply with Appendix J of the Oregon Structural Specialty Code, 2014 edition. No grading activities may occur unless and until a person receives a grading permit and complies with this section. No person shall conduct building or related activities without compliance with these standards.

4-1-040 Alternate Materials and Methods Local Interpretation.

The Building Official is authorized to consider and approve alternate materials or methods of construction, as provided in the codes adopted by TMC 4-1-010.

In addition to the provisions of Section 104.1 through 104.12 of the 2007 Oregon Structural Specialty Code and similar provisions of other specialty codes, the Building Official may approve an alternate material or a method of construction not specifically prescribed by this ordinance, provided he or she finds that the proposed design is satisfactory and that the material, method or work offered is for the purpose intended at least the equivalent of that specifically prescribed by this chapter in quality, effectiveness, fire resistance, durability, safety, and energy conservation, and that the Administrator of the Building Codes Division has not issued a report disapproving the material or method for the purpose. A person affected by a ruling of the Building Official on an alternate material or method of construction may appeal such ruling to the Board of Appeals within 30 days of the date of the ruling. This section shall not be interpreted to preclude a person from requesting a ruling from the Administrator of the Building Codes Division prior to submitting an application to the City for a permit or after withdrawing a previously submitted application.

4-1-050 Unsafe Buildings.

The City of Tualatin adopts the 2006 International Existing Building Code as the code providing for the abatement of unsafe buildings and building nuisances.

4-1-060 Underground Utility and Cable TV Service.

Any application for a building permit for a structure or facility which requires new electrical, telephone or cable TV service shall provide that the electrical, telephone or cable TV service will be underground from the property line to the structure or facility to be served. Where there is an existing utility easement with overhead lines, the service shall be undergrounded from the edge of the easement to the structure or facility to be served. When cable TV service is added to buildings or structures currently being

served by overhead electrical and telephone lines, cable TV service shall be underground.

4-1-070 Board of Appeals.

A person may appeal a decision of the Building Official to the State Specialty Code Chief, as provided by OAR 918-008-0120. The appeal must be filed within 30 days of the Building Official's decision. For application in this City, Oregon Revised Statutes 445.475 through 445.690, [Section 112 of the 2007 Oregon Structural Specialty Code and Section 109 of the 2007 Oregon Mechanical Specialty Code], as adopted by the Administrator of the State Building Codes Division, is the procedure for appeals of decision of the Building Official.

4-1-080 Violation is Civil Infraction ~~Violations and Penalties.~~

(1) It is unlawful and a civil infraction for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain a building or structure in the City, or cause the same to be done, contrary to or in violation of this Chapter ordinance.

(2) A person who violates or refuses to comply with this Chapter commits a civil infraction and is subject to a fine of up to \$1,000. Each violation, and each day that a violation continues, constitutes a separate civil infraction.

(3) Unless the building codes adopted in TMC 4-1-010 provide otherwise, the civil infraction procedures in TMC 7-01 apply to the prosecution of any violation of this Chapter.

~~A person, firm or corporation violating this ordinance is guilty of a civil infraction and is punishable by penalty of not more than \$1,000 per violation. Each violation and each day that a violation continues shall constitute a separate offense.~~

~~4-1-090 Adoption of the One and Two Family Dwelling Specialty Code.~~

~~The 2008 edition of the Oregon One and Two Family Dwelling Specialty Code as adopted by the Administrator of the State Building Codes Division is adopted by the City of Tualatin.~~

Section 2. Severability. Each section of this ordinance, and any part thereof, is severable. If any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance remains in full force and effect.

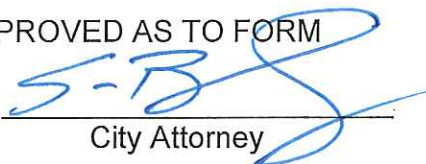
Section 3. Emergency. This ordinance is necessary for the immediate protection of the public peace, health, safety, and welfare and takes effect immediately upon adoption.

Adopted by the City Council this 27th day of July, 2015.

CITY OF TUALATIN, OREGON

BY 
Mayor

APPROVED AS TO FORM

BY 
City Attorney

ATTEST:

BY 
City Recorder